

REMARKS

Claims 1-41 were pending and presented for examination. In an Office Action dated February 21, 2008, claims 1-41 were rejected. Applicants have added claims 42-43, canceled claims 2, 3, 20 and 32, and amended claims 1, 4-19, 21-31, 34, and 36-40. Claims 1, 4-19, 21-31, and 33-43 are pending upon entry of this Amendment and Response.

Applicants thank the Examiner for examination of the claims pending in this application and address the Examiner's comments below. Based on the above Amendments and the following Remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections, and withdraw them.

Response to Objection to the Drawings

In the 1st and 3rd paragraphs of the Office Action, the Examiner objected to the drawings as failing to comply with 37 CFR 1.84(p)(5) because they include reference characters not mentioned in the description. As suggested in the Office Action, the specification is amended herein to add the reference characters in the description in compliance with 37 CFR 1.121(b).

In the 2nd paragraph of the Office Action, the Examiner objected to the drawings as failing to comply with 37 CFR 1.84(p)(4) because reference characters allegedly have been used to designate different parts. Applicants have amended the specification to designate the reference characters to the same parts in compliance with 37 CFR 1.121(b). Therefore, the objections to the drawings are overcome.

Information Disclosure Statement

In the 4th paragraph of the Office Action, the Examiner stated that the information disclosure statement filed on April 27th, 2007 fails to comply with 37 CFR 1.97, 1.98 and MPEP § 609 because all the non-patent literature is in the Japanese language with no apparent version in the English language. However, Applicants submitted a concise explanation of the Japanese references in English language in the information disclosure statement on April 27th, 2007 pursuant to 37 C.F.R. § 1.98(a)(3)(i). Thus, Applicants believe these references should be considered and made of record.

Moreover, the Examiner failed to initial reference B1 with the Foreign Patent Document Number WO 99/18523 in an information disclosure statement filed on March 30th, 2004, and reference C1 entitled “GROPP, W. et al., ‘Using MPI-Portable Programming with the Message Passing Interface,’ copyright 1999, pp. 35-42, second edition, MIT Press” in another information disclosure statement filed on March 30th, 2004. Therefore, Applicants respectfully request the Examiner consider and initial the above references.

Response to Objection to Specification

In the 5th paragraph of the Office Action, the Examiner objected to the informalities in paragraph [0002] of the disclosure. In response, Applicants have amended the specification to include the application serial numbers of the related applications. Therefore, the objection to the disclosure is overcome and Applicants request its withdrawal.

Response to Objection to Claims

In the 6th paragraph of the Office Action, the Examiner objected to the informality in claim 15. Claim 15 is now amended to overcome the alleged informality. Applicants request this objection to the claims be withdrawn.

Response to Rejection Under 35 USC § 112, ¶ 1

In the 8th paragraph of the Office Action, the Examiner rejected claim 5 under 35 USC § 112, ¶ 1 as allegedly failing to comply with the enablement requirement. Applicants respectfully disagree and traverse this rejection. Support for the term “audio paper” and its usage and recognition can be found in paragraph [0055] of the specification. However, Applicants have corrected a typographical error to replace the term “Video Paper” with “Audio Paper” in paragraph [0055] to avoid any confusion and ambiguity. Applicants submit that with these amendments to specification, the written description provides enough support for a person skilled in the art to make and use the claimed invention. Applicants respectfully request that the rejection under 35 USC § 112, ¶ 1 be withdrawn.

Response to Rejection Under 35 USC 102(e)

In the 10th paragraph of the Office Action, the Examiner rejected claims 1-3, 6-8, 11, 17, 19-20, 31-33 and 40 under 35 USC § 102(e) as allegedly being anticipated by Ito (US 7,151,613). This rejection is now respectfully traversed.

The claimed invention recites a system and method for receiving a broadcast media feed, monitoring the broadcast media feed to detect an event, processing the broadcast media feed to generate both an electronic representation and a printable representation of the broadcast media feed, and then generating an electronic output and a printed output. Specifically, the amended independent claim 1 recites, *inter alia*:

- a broadcast media receiver for receiving and outputting the **broadcast media feed** of time-based media;
- a content-based processing logic coupled to the broadcast media receiver for monitoring the broadcast media feed of time-based media to detect an occurrence of an event, the **content-based processing logic processing the broadcast media feed to generate an electronic representation and a printable representation of the broadcast media feed** responsive to detecting the occurrence of the event;
- a first output device in communication with the content-based processing logic to receive the electronic representation, the first output device **producing a corresponding electronic output** from the electronic representation of the broadcast media feed; and
- a second output device in communication with the content-based processing logic to receive a printable representation, the second output device **producing a corresponding printed output** from the printable representation of the broadcast media feed. (Emphasis added.)

Independent claim 31, as amended, recites similar limitations.

The claimed invention beneficially allows a printer to receive broadcast media feed, process the content of the broadcast media feed to generate both an electronic and a printed representations of the broadcast media feed, and then output them. Therefore, the claimed printer embeds media receiving and processing functionalities in a printer. As a result, the printer simplifies the broadcast media printing process because it allows for receiving and processing broadcast media feed directly by a printer. Moreover, because the system is capable of producing an output in both electronic and printed formats, it beneficially provides printer users with multiple choices of output formats. The above disclosed functionalities of the claimed printer have not been suggested by the arts of record.

Ito discloses neither “receiving and outputting the broadcast media feed of time-based media,” nor “processing the broadcast media feed” and “producing a corresponding electronic output . . . [and] a corresponding printed output . . . of the broadcast media feed” as recited in the amended claim 1. Ito discloses a printer that receives a print job signal, detects whether the sending source of the received print job signal is registered in memory, and outputs a corresponding message if the sending source is registered. *See* Ito Abstract, col. 1 line 56 to col. 2 line 8.

Specifically, Ito fails to disclose “receiving the broadcast media feed of time-based media.” Broadcast media feed comprises television, radio, cable television, satellite broadcasts and the like as a person of ordinary skill in the art would understand. However, Ito discloses that “the printer receives the print job signal.” *See* Ito at col. 3 lines 48-49; *see also* Ito at col. 7 lines 58-59; and Figures 10, 16 and 17. The print job signal is received from a data processing device and contains information indicating the sending source and output destination. *See* Ito at col. 2 lines 60-62; and col. 4 lines 27-30. For example, any of the host computers connected to a network can send a print job signal to the printer for executing a print job on the printer. *See* Ito at col. 6 lines 1-3. Therefore, the “print job signal” merely discloses a static print job, and not a broadcast media feed of time-based media as recited in the claims. Accordingly, Ito fails to disclose a printer that is capable of receiving a broadcast media feed of time-based media.

Additionally, Ito fails to disclose “processing the broadcast media feed to generate an electronic representation and a printable representation of the broadcast media feed.” Ito, in relevant part, recites:

... the CPU 113 of the printer 100 detects the name of the print job signal sender (who sent the print job signal) detects whether the sender is included in the names of the registered senders by comparing the user name to whom the print job was addressed with the content of memory 112 (step S105). If registered, the printer 100 presents a message according to the setup registered for that sender (step S106).

See Ito at col. 7 lines 60-66. Such processing of sender information does not constitute “processing the broadcast media feed to generate an electronic representation and a printable representation of the broadcast media feed” as recited in the claim because the print control functions recited by the Examiner do not generate two new representations of the media feed.

Finally, in rejecting claims 1, 3, and 31, the Examiner contends that Ito discloses:

... a first output device in communication with the processing logic to receive the electronic representation (column 1, line 67 and column 2, lines 1-2, where the messaging unit is being interpreted as the first output device), the first output device producing a corresponding electronic output from the electronic representation of the media feed (column 2, lines 3-8, where a message is being created (electronic representation) depending on the result of the determination of the controller). . . .

Ito ‘613 further discloses a second output device in communication with the processing logic to receive the printed representation (column 1, lines 59-63, printing unit), the second output device producing a corresponding printed output from the printed representation of the media feed (column 2, lines 3-8, where the print job is executed when receiving a signal of a print job).

See Office Action at pages 6-7. While the messaging unit and the printing unit of Ito are able to output an electronic and a printed message respectively, neither the messaging unit nor the printing unit is capable of *generating a representation of broadcast media feed*.

Furthermore, the messaging unit of Ito does not **producing a corresponding electronic output** from the electronic representation of the broadcast media feed. The messages produced by the messaging unit of Ito are based on sender status, not the electronic representation of the broadcast media feed.

Accordingly, Ito does not teach the recited limitations of “producing a corresponding electronic output from the electronic representation of the broadcast media feed” and “producing a corresponding printed output from the printable representation of the broadcast media feed” in the amended claims 1.

Applicants respectfully submit that for at least the above reasons, claims 1 and 31 and their respective dependent claims are patentably distinguishable over Ito. Therefore, Applicants respectfully request that the Examiner reconsider and withdraw the § 102 rejections.

Response to Rejections Under 35 USC § 103(a)

In the 12th paragraph of the Office Action, the Examiner rejected claims 4-5 under 35 USC § 103(a) as allegedly being unpatentable over Ito (US 7, 151, 613) in view of Wendelken et al. (US 6, 193, 658). In the 13th paragraph of the Office Action, the Examiner rejected claim 9 under 35 USC § 103(a) as allegedly being unpatentable over Ito (US 7, 151, 613) in view of Merchant et al. (US 5,581,366). In the 14th paragraph of the Office Action, the Examiner rejected claims 10 and 35 under 35 USC § 103(a) as allegedly being unpatentable over Ito (US 7, 151, 613) in view of Farrell et al. (US 5,717,841). In the 15th paragraph of the Office Action, the Examiner rejected claims 12 and 36 under 35 USC § 103(a) as allegedly being unpatentable over Ito (US 7, 151, 613) in view of Huberman et al. (US 6,115,718). In the 16th paragraph of the Office Action, the Examiner rejected claims 13, 15 and 38 under 35 USC § 103(a) as allegedly being unpatentable over Ito (US 7, 151, 613) in view of Sugiyama et al. (US 5,633,723). In the 17th paragraph of the Office Action, the Examiner rejected claims 16, 18, 21-27, 29-30, 39 and 40 under 35 USC § 103(a) as

allegedly being unpatentable over Ito (US 7, 151, 613) in view of Lynch et al. (US 7,174,151). In the 18th paragraph of the Office Action, the Examiner rejected claims 14 and 37 under 35 USC § 103(a) as allegedly being unpatentable over Ito (US 7, 151, 613) in view of Najeh et al. (US 5,343,251). These rejections are now respectfully traversed. The rejections are discussed together for purposes of clarity.

The examiner is relying on hindsight in reaching his obviousness determination. To imbue one of ordinary skill in the art with knowledge of the invention, when no prior art reference or references of record convey or suggest that knowledge, is to fall victim to the insidious effect of a hindsight syndrome wherein that which only the inventor taught is used against its teacher. One cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention as the examiner has done here.

For the reasons described above with respect to the § 102 rejection, Ito fails to disclose “receiving the broadcast media feed of time-based media,” “processing the broadcast media feed” and “producing a corresponding electronic output . . . [and] a corresponding printed output . . . of the broadcast media feed.” None of Wendelken, Merchant, Farrell, Huberman, Sugiyama, Lynch, and Najeh remedies the deficiencies of Ito.

First, Wendelken discloses a method and kit for wound evaluation using an ultrasound unit. *See* Wendelken Abstract, col. 6 lines 26-34. The ultrasound unit receives echoes of ultrasound and computes such information to make a permanent visual record. *See id.* at col. 6 lines 8-34. Because the ultrasound unit can neither receive a broadcast media feed of time-based media nor process the broadcast media feed to produce an electronic

representation and a printed representation of the broadcast media feed, Wendelken does not remedy the deficiencies of Ito.

Second, Merchant discloses a method for originating a facsimile message in a selective call receiver. *See* Merchant col. 1 lines 26-36. The selective call receiver receives an input message by pen stylus and transmits a fax message. *See id.* The selective call receiver, however, cannot receive a broadcast media feed of time-based media. Nor can the selective call receiver process the broadcast media feed to produce an electronic representation and a printed representation of the broadcast media feed. Therefore, Merchant does not remedy the deficiencies of Ito.

Third, Farrell discloses a method for providing an operator of a print system with the ability to specify deferred actions that will be automatically implemented upon the occurrence of an operator selected triggering event. *See* Farrell Abstract, col. 6 lines 18-21. The print system of Farrell does not receive a broadcast media feed of time-based media, nor process the broadcast media feed to produce an electronic representation and a printed representation of the broadcast media feed. Thus, Farrell does not remedy the deficiencies of Ito either.

Fourth, Huberman discloses a method for predicting document access with a collection of linked documents utilizing “spreading activation” technique. *See* Huberman Abstract. The system of Huberman gathers empirical data for a document collection, computes link probability using the law of surfing, performs spreading activation, and extracts desired document access information. *See id.* at Figure 2; col. 4 lines 25-56. Similar to other cited references, Huberman does not recite receiving a broadcast media feed of time-based media nor processing the broadcast media feed to produce an electronic

representation and a printed representation of the broadcast media feed. Therefore, Huberman does not remedy the deficiencies of Ito.

Fifth, Sugiyama discloses a video printer that receives a video signal input, extracts luminance and chrominance signals from the video signal and processes these signals in accordance with print conditions stored in the system controller. *See* Sugiyama col. 3 lines 12-19. The video printer of Sugiyama, however, does not have a media receiver for receiving a broadcast media feed. Since it does not have a broadcast media receiver, it does not disclose processing *the broadcast media feed* to produce an electronic representation and a printed representation of *the broadcast media feed*. Thus, Sugiyama does not remedy the deficiencies of Ito.

Sixth, Najeh discloses a method and apparatus for classifying patterns based on learning and discerning of broadcast audio and video signals. *See* Najeh Abstract. Najeh does not disclose processing the broadcast media feed to generate *both an electronic and a printed output*. While Najeh teaches a tuner for receiving broadcast audio and video signals, it fails to disclose the tuner outputting the broadcast media feed to a processing logic for *monitoring the broadcast media feed to detect an occurrence of an event*. Thus, Najeh does not remedy the deficiencies of Ito.

Finally, Lynch discloses an encoding system that modifies the characteristics of a first ancillary code upon the detection of a second ancillary code with higher priority than the first ancillary code. *See* Lynch Abstract. In the event that the second ancillary code is detected in program data, the controller adjusts one of the parameters of the first ancillary code added to the program data. *See id.* at col. 6 lines 28-38. However, Lynch does not disclose a broadcast media receiver. Furthermore, Lynch does not teach embedding a media receiver in

the encoding system, and certainly not in a printer. Also, Lynch fails to disclose or suggest *generating a printed output of the broadcast media feed*. Thus, Lynch fails to remedy the deficiencies of Ito.

Based on the above amendments and the remarks, Applicants respectfully submit that for at least these reasons, claims 4-5, 9, 10, 12-16, 18, 21-27, 29-30, 35-39, and 41 are patentably distinguishable over the cited references.

Therefore, the Examiner has failed to point out any prior art teaching which anticipates or renders obvious the explicit recitation in the language of amended claim 1 that “receiving the media feed of time-based media” and “receiving the broadcast media feed of time-based media,” “processing the broadcast media feed,” and “producing a corresponding electronic output . . . [and] a corresponding printed output . . . of the broadcast media feed.” Accordingly, Applicants respectfully request that the rejection of the claims under § 103 be withdrawn.

Also, it is noted that the Examiner has failed to address the grounds for rejections of claims 28 and 34. None of the cited references discloses “an appearance of an image in the media feed” as a monitored event. Therefore, claims 28 and 34 are deemed to be allowable.

Conclusion

In sum, Applicants respectfully submit that claims 1, 4-19, 21-31, and 33-43, as presented herein, are patentably distinguishable over the cited references for at least the reasons given above. Therefore, Applicants request reconsideration of the basis for the rejections to these claims and request allowance of them.

In addition, Applicants respectfully invite Examiner to contact Applicants' representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,
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